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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/485,657

03/24/2000

LEONARD COLIN ANDREWS

89073

2124

32116

7590

07/12/2004

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER
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SUITE 3800
CHICAGO, IL 60661

EXAMINER

HARVEY, MINSUN OH

ART UNIT

PAPER NUMBER

2644

26

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/485,657

Applicant(s)

ANDREWS, LEONARD COLIN

Examiner

Minsun Harvey

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>14&21</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. In view of Pre-Amendment, which was not entered previously, Final Action has been withdrawn and a new ground of rejection has been applied.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 to 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Multi-Room Hi-Fi takes control of the home, The Sunday Times. 28 MAY 1995" by Lloyd in view of Clark.

Lloyd discloses a distributed audio system, including: two or more speakers for the broadcast of stereo signals (separate speakers are used through out a house); a source of stereo audio signals (main hi-fi system); a stereo amplifier to amplify stereo audio signals and drive the speakers (see description for kitchen and bedroom); a mains operated electrical power supply to provide power to the amplifier (see second column), where the amplifier is located in the same room as the speakers, and remote from the signal source and power supply (see description for kitchen and bedroom); volume is set differently in each room (since each room contains its own volume control, each room can be set with different volume level); a hand held remote control is provided to transmit infrared signal to a receiver mounted with the amplifier for each room (see the figures). Lloyd does not disclose power supply by means of a category 5 four twisted cable which provides, in respective conductors of the twisted pairs, right

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channel audio signals from the signal source the amplifier, left channel audio from the signal source to the amplifier and DC power from the power supply to the amplifier.

Clark discloses that it is well known to use category 5 four-twisted cables for transmitting data and power (col. 1, lines 18 to 47). Since Clark has disclosed using category 5 four-twisted cables for transmitting data and energy, it would have been obvious to combine Lloyd's teaching with Clark because since category 5 cables is being used for high speed data communication, the system could transmit data in high speed. Clark does not explicitly disclose that the data is right and left channel audio source. However, it would have been obvious to use category 5 cable for transmitting left and right audio signal as claimed because data as disclosed by Clark could include audio or video.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Curtis discloses powered volume control for distributed audio system.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minsun Harvey whose telephone number is (703) 308-6741. The examiner can normally be reached on Mondays-Fridays from 9:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Isen, can be reached on (703) 305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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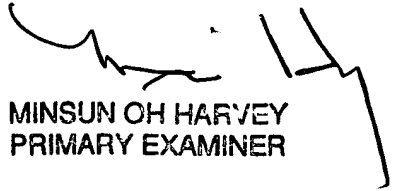
published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).



MINSUN OH HARVEY
PRIMARY EXAMINER